

STATE OF MICHIGAN  
COURT OF APPEALS

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PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

LOREN DALE MONARCH,

Defendant-Appellant.

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UNPUBLISHED

March 6, 2007

No. 266787

Calhoun Circuit Court

LC No. 2005-002573-FH

Before: Hoekstra, P.J., and Markey and Wilder, JJ.

MEMORANDUM.

Defendant appeals as of right from his conviction following a jury trial of third-degree fleeing and eluding, MCL 257.602a(3)(a), driving while license suspended, MCL 257.904(3)(a), and having an improper registration plate, MCL 257.256. Defendant's argument on appeal focuses only on the sufficiency of the evidence underlying his third-degree fleeing and eluding conviction. We affirm. This case is being decided without oral argument under MCR 7.214(E).

Defendant contends insufficient evidence was adduced below to support his fleeing and eluding conviction. Specifically, defendant argues that insufficient evidence was presented to allow a jury to conclude beyond a reasonable doubt that he willfully attempted to flee or elude the officer who was following him on the night he was arrested. We disagree. Evidence is sufficient to support a conviction "if, viewed in the light most favorable to the prosecution, a rational trier of fact could find that the essential elements were proven beyond a reasonable doubt." *People v Clark*, 172 Mich App 1, 6; 432 NW2d 173 (1988). In reviewing a sufficiency challenge, we do not intrude on the jury's role in assessing the credibility of the witnesses presented at trial. *People v Wolfe*, 440 Mich 508, 514; 489 NW2d 748 (1992).

At trial, Emmett Township Public Safety Officer Chris Allen testified that as he was pursuing defendant's vehicle with his marked police cruiser's lights and siren activated, defendant went through several stop signs without stopping. Further, defendant proceeded through the neighborhood in an unusual pattern (east then north then east again then north again) while traveling in excess of the posted speed limit. Allen stated that he got to within 50 yards of defendant's vehicle, and explained there were never any other vehicles between his vehicle and defendant's vehicle during the course of the pursuit. Viewed in the light most favorable to the prosecution, this evidence is sufficient for a rational trier of fact to infer that defendant willfully attempted to evade the police. See *People v Perez-DeLeon*, 224 Mich App 43, 59; 568 NW2d 324 (1997) ("[b]ecause of the difficulty in proving a defendant's state of mind, circumstantial

evidence is . . . wholly satisfactory in sustaining a conclusion that the defendant possessed the requisite intent”).

Affirmed.

/s/ Joel P. Hoekstra

/s/ Jane E. Markey

/s/ Kurtis T. Wilder